

REMARKS

The present Amendment is in response to the Examiner's Final Office Action mailed July 9, 2008. Claims 1, 12, and 21 are amended. Claims 1, 3, 5, 7-17 and 21-25 are now pending in view of the above amendments.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claims. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claims and the cited references. In addition, Applicant requests that the Examiner carefully review any references discussed below to ensure that Applicant's understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

I. Examiner's Interview

On July 30, 2008, Applicant's attorney faxed the amended claims to the Examiner. On July 31, 2008, the Examiner indicated by means of a telephone message that the amended claims would overcome the art of record, but further search would be required before they could be allowed.

II. Allowed Subject Matter

The Examiner's allowance of claims 1, 3, 5, and 7-11 is appreciated. Applicant wishes to thank the Examiner for the careful review and allowance of those claims.

The Applicant submits the following comments concerning the Examiner's statements of reasons for the indication of allowable subject matter in the Office Action. Applicant agrees with the Examiner that claims 1, 3, 5, and 7-11 are patentable over the prior art, but respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in Office Action. Applicant submits that it is the claim as a whole, rather than any particular limitation, that makes

each of the claims allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that makes it allowable. Therefore, Applicant does not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, the claims allowable and do not make any admission or concession concerning the Examiner's statement in the Office Action.

III. REJECTION UNDER 35 U.S.C. § 103

The Examiner rejected claims 12-13 under 35 U.S.C. § 103 over *Kawai* (U.S. Patent No. 6,175,405) in view of *Uehara et al.* (U.S. Patent No. 4,928,172). The Examiner rejected claims 12, 14-15, and 21-23 under 35 U.S.C. § 103 over *Boyd et al.* (U.S. Patent No. 6,621,600) in view of *Uehara et al.* (U.S. Patent No. 4,928,172). The Examiner rejected claims 12, 16-17, 21, and 24-25 under 35 U.S.C. § 103 over *Takeda et al.* (U.S. Patent No. 6,734,903) in view of *Uehara et al.* (U.S. Patent No. 4,928,172).

Applicant traverses the Examiner's rejection for obviousness on the grounds that the references – either individually or in combination – fail to teach or suggest each and every element of the rejected claims.

Uehara et al. has been cited as showing an iris embodied as a honey comb comprising “a multiplicity of tubular elements 82a each having a hexagonal cross-section.” Col. 15, lns. 47-48. The honeycomb iris “transmits the maximum light quantity when it is oriented such that the axes of the tubular element ... extend in parallel with the axis of the illuminating light and the quantity of light transmitted therethrough is progressively decreased as the angle of inclination of the tubular elements ... with respect to the optical axis of the illuminating light is increased.” Col. 15, lns. 50-57.

In contrast, amended claim 12 recites, in combination with the other elements of the claimed exposure control device, “an optical grid plate having an aperture, the aperture having an elongate shape and a narrowed portion at a central portion of the aperture, wherein rotation of the optical grid plate by said driving force changes an effective light-transmission area of the aperture by rotating the optical grid plate about an axis parallel to a direction of elongation of the aperture.” The tubular elements of *Uehara et al.* fail to anticipate or render obvious such a structure. First, the tubular elements do not have the recited aperture shape. Second, the tubular

elements are not rotated with reference to a “direction of elongation” of the claimed aperture shape. Accordingly, *Uehara et al.* and *Kawai*, whether alone or in combination, fail to anticipate or render obvious claim 12.

With respect to claim 21, *Uehara et al.* and *Kawai*, whether alone or in combination, fail to disclose, in combination with the other elements of the claimed exposure control device, “an optical grid plate having a region with a light-transmissible area, the light transmissible area having an elongate shape having a narrowed central portion; [and] means for rotating the optical grid plate about an axis parallel to a direction of elongation of the light transmissible area to change the effective light-transmissible area of the region in response to the control signal.” As already noted, the tubular elements are not rotated with reference to a “direction of elongation” of an aperture having the claimed shape.

Claims 13-17 and 22-25 are dependent on allowable claims 12 and 21, respectively, and are therefore allowable for at least the reasons discussed hereinabove.

CONCLUSION

In view of the foregoing, Applicant believes the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 9th day of October, 2008.

Respectfully submitted,

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